

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

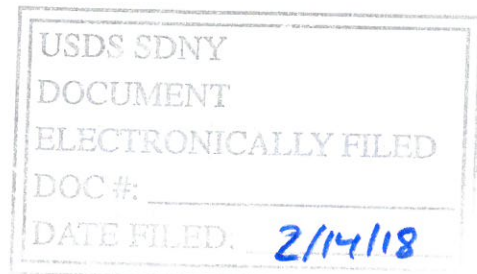
ERIN DALY,

Plaintiff,

-v-

CITIGROUP INC., *ET AL.*,

Defendants.



No. 16-cv-9183 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

On February 6, 2018, the Court issued an order dismissing Plaintiff's Sarbanes-Oxley whistleblower claim and referred all other claims to arbitration. (Doc. No. 40.) When an entire dispute is referred to arbitration *and the parties request a stay*, the Federal Arbitration Act requires district courts to stay the federal case while the arbitration proceeds. *See Katz v. Celco P'ship*, 794 F.3d 341, 343 (2d Cir. 2015); *see also* 9 U.S.C. § 3. However, where, as here, neither party requests a stay, district courts have discretion to stay or dismiss the case. *See Benzemann v. Citibank N.A.*, 622 F. App'x 16, 18 (2d Cir. 2015) (summary order); *Zambrano v. Strategic Delivery Sols., LLC*, No. 15-cv-8410 (ER), 2016 WL 5339552, at \*10 (S.D.N.Y. Sept. 22, 2016).

Accordingly, in an abundance of caution, the Court gave the parties until February 13, 2018 to inform the Court if they wished this case to be stayed for the pendency of the arbitration. (Doc. No. 40, at 12.) The Court received no such notification. As a result, the Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: February 14, 2018  
New York, New York

  
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RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE